



DEPARTMENT OF PLANNING AND BUILDING

TO: Board of Supervisors

FROM: Stephanie Fuhs, Planning and Building Department

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: August 19, 2014

SUBJECT: Submittal of resolution approving and accepting an Open-Space Agreement granting an Open Space Easement to the County of San Luis Obispo and Deed Restriction for Tentative Tract Map and Conditional Use Permit TR2718/SUB2004-00247 with Henri Degroot. District 4.

Recommendation

It is recommended that the Board adopt and instruct the Chairperson to sign the resolutions approving and accepting the Open-Space and Deed Restriction for Tentative Tract Map and Conditional Use Permit TR2718/SUB2004-00247 with Henri Degroot.

Discussion

Attached are an open space agreement and deed restriction that were required as conditions of approval for Tentative Tract Map and Conditional Use Permit TR2718/SUB2004-00247. The open space easement was required to comply with open space provisions contained in the Land Use Ordinance for cluster subdivisions and to protect areas of the site with identified biological and cultural resources. The deed restriction was required in order to set aside portions of the proposed parcels as "no build areas" to protect environmentally sensitive areas on the property.

The project is a Vesting Tentative Tract Map (Tract 2718) and Conditional Use Permit to subdivide an existing 40-acre parcel into seven parcels of 1.4 to 3.6 acres, and one open space parcel of 25.72 acres with a designated residential site for the purpose of sale and/or development. The project is within the Residential Rural land use category and is located on the northwest side of West El Campo Road, on the south of its intersection with Los Berros Road, approximately one mile southeast of the City of Arroyo Grande, in the South County planning area. The project was approved by the Planning Commission on February 14, 2008.

The area contained within the open space easement is 25.72 acres. The total project site is 40.57 acres.

The attached open space agreement is found to be consistent with the County's general plan.

Other Agency Involvement

County Counsel prepared the agreements and approved the resolutions and documents as to form and legal effect.

Financial Considerations

None.

Results

Approving and accepting the open space agreement will provide for protection of biological and cultural resources in accordance with Land Use Ordinance standards for cluster subdivisions and conditions of approval for the project. The open space easement is consistent with the County goal of promoting a healthy and livable community.

Attachments

Attachment A1- Open Space Easement Resolution

Attachment A2 – Deed Restriction Resolution